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23 July 1996

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Fiftieth session
Agenda item 55
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-first year

Letter dated 22 July 1996 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention to the visit of Turkish Prime Minister Necmettin Erbakan to the Turkish occupied areas of the Republic of Cyprus, on 20 July 1996.

The reason for Mr. Erbakan's visit, along with other ministers of the Turkish Government, was to attend the "celebrations" of the twenty-second anniversary of the Turkish invasion in Cyprus, organized by the occupation regime. Present at the "celebrations" were also a representative of the President of Turkey, the Vice-President of the Turkish National Assembly, the leader of the Democratic Left Party (DSP), Mr. Bullent Ecevit, and representatives of the military leadership.

The Turkish Prime Minister stated upon his arrival in Cyprus - his first visit abroad since he came to power - that "the world should realize that there are two States in Cyprus". In this regard, it should be recalled that Mr. Erbakan supported the occupation of the whole island in 1974. At that time he was deputy Prime Minister of the Turkish Government, under Prime Minister Ecevit. It was that Government which staged the invasion and, since then, the occupation of the northern part of the Republic of Cyprus.

The visit of the new Prime Minister of Turkey to the occupied areas of the Republic of Cyprus is a clear manifestation of the Turkish intransigence with regard to the question of Cyprus and is in complete disregard of the relevant resolutions and decisions of the United Nations on Cyprus. In protesting against this condemnable behaviour of the Turkish Government, it should be recalled that such actions are contrary to the provisions of Security Council resolution 541 (1983), which considers the establishment of the regime in the

occupied part of Cyprus as legally invalid. Furthermore, the Security Council in resolution 550 (1984) "reiterates the call upon all States not to recognize the purported State of the 'Turkish Republic of Northern Cyprus' set up by secessionist acts and calls upon them not to facilitate or in any way assist the aforesaid secessionist entity".

The demonstration of such a provocative attitude by Turkey is yet another example of the lack of political will for a solution of the Cyprus problem on the Turkish side and revealing of its real objectives, aiming at consolidating the de facto division of the island. At the same time, it places serious impediments in the way of the efforts to achieve progress in the search for a solution of the Cyprus problem, at a time of increased interest on the part of the international community.

I wish to stress in the strongest possible terms my Government's protest for this provocative visit of the Turkish leadership to the occupied part of Cyprus to participate in the "celebrations" of the twenty-second anniversary of the tragic events of 1974.

After these 22 years of occupation and mass violations of the human rights of the people of Cyprus, one third of the island's population is still prevented by the Turkish occupation forces from returning to their homes, facing at the same time the continuous provocations of the Turkish side.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 55, and of the Security Council.

(Signed) Kornelios S. KORNELIOU
Chargé d'affaires a.i.
of the Republic of Cyprus
to the United Nations

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Agenda item 81
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fifty-first year

Letter dated 29 July 1996 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit to you the aide-mémoire regarding the inappropriate conduct of the Republic of Greece towards the Republic of Macedonia vis-à-vis the Interim Accord of 13 September 1995 between the two countries.

I would be grateful if you would have the text of the present letter and its annex distributed as a document of the General Assembly, under agenda item 81, and of the Security Council.

(Signed) Dr. Denko MALESKI
Ambassador

96-19296 (E) 010896 030896

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ANNEX

Aide-mémoire dated 23 July 1996 regarding the inappropriate conduct of the Republic of Greece towards the Republic of Macedonia vis-à-vis the Interim Accord of 13 September 1995 between the two countries

I

1. During the negotiations and especially at the last round of negotiations, before the initialling of the Cooperation Agreement between the Republic of Macedonia and the European Union (EU), on 20 June 1996 at Brussels, by the European Commission, and under the pressure of the Republic of Greece, the European Commission strongly insisted on the use of the designation of the United Nations in the text of the Agreement. Therefore, our proposal to neutralize the whole text of the Agreement, i.e., instead of the reference "FYROM" to use "Contracting State", with a footnote that that referred to the country which had been admitted to membership of the United Nations by General Assembly resolution 47/225 of 8 April 1993, was not accepted. We explained that we had suggested this, with the purpose that such a neutralized text would be most acceptable for the European Commission, taking into consideration that Greece was a member of the EU, and at the same time that such a text was most suitable for ratification in our Parliament. However, owing to the obstruction of Greece, the Agreement, on the insistence of the European Commission, was initialled by way of an exchange of letters. Our letter explained that we accepted the agreed text but we did not accept the reference for our country, since our constitutional name is the "Republic of Macedonia". Greece made an attempt to obstruct this form and thus postpone the initialling of the Agreement; however, we still managed to reach a mutual solution.

2. In connection with the regulation of trade in some products, in one part of the Agreement, where there is specific documentation and where the countries are identified by two letters, we suggested that our country be identified by the letters "MK". Under the pressure of Greece the European Commission did not accept our proposal; therefore a numerical identification for the trade in those products with EU member States was agreed, i.e., all countries, including our country as well, were to be indicated by numbers. This represented an exception from the already accepted international code for our country (MK) in several international systems where such an identification is essential (Vienna Transport Convention, International Organization for Standardization, Internet, etc.).

3. Greece exerted strong pressure through the European Commission with regard to the mention of the Macedonian language in the text of the Agreement; thus it was stated in the relevant article that the Agreement had been drawn up in all the official languages of the Contracting Parties.

4. Besides the temporary disrespect of the provisions of the Interim Accord signed on 13 September 1995 in New York, which represented a first step towards regulating the relations between the Republic of Macedonia and Greece, and regulation of the relations with the EU, the European Commission suggested in

the preamble to the Cooperation Agreement that the Interim Accord be set up as a factor for regional stability which favoured the relations of cooperation between the Republic of Macedonia and Greece.

With the above-mentioned activities and measures, Greece managed to complicate the initialling of the Cooperation Agreement with the EU, which may be an indication that it would continue similar activities during the implementation of the Agreement, due to start on 1 January 1997.

II

1. We have been informed through the Liaison Office of the Republic of Macedonia in Athens and the Chamber of Commerce of the Republic of Macedonia that from time to time, in particular cases, the Greek Customs has not accepted the certificate of origin of goods from Macedonia, EUR-1, although this issue had been regulated with the practical measures completed according to article 5 of the Interim Accord as well as with EU Regulation No. 343/92 (Official Journal I, 38/92). This hampered the preferential treatment of particular goods entering the EU.

2. On 17 July 1996, the aeroplane of the Macedonian airline company "Palor Macedonian" was held for several hours at the Corfu airport in Greece and the word "Macedonian" was painted over. This act of the Greek authorities was not in accordance with the provisions of the Interim Accord (article 8) and did not reflect the spirit of the confidence-building measures between the two countries.

3. Citizens of the Republic of Macedonia who were born in Greece cannot travel to Greece because the Greek authorities do not issue visas for them. This is contrary to international norms and regulations, as well as the provisions of the EU for the free movement of persons.

III

The Conference of Foreign Ministers of Countries of South-eastern Europe, which was held recently at Sofia without the presence of Macedonia, opened several issues regarding the implementation of the Macedonian-Greek Interim Accord of 13 September 1995.

During the preparations, the Macedonian side made efforts to prevent what actually happened at the meeting: the absence of one of the two parties. Taking into consideration the understandable problems on the Greek side caused by the convening of the meeting in a country which had recognized Macedonia under its constitutional name, with the aim of the successful realization of this regional initiative, the Macedonian delegation pointed this out and offered a solution in the spirit of the Interim Accord, namely, giving up the possibility of insisting on the use of the name "Republic of Macedonia". This was offered in all segments where this issue occurred so as to avoid the use of names of countries. Instead, it was proposed that the names of the Foreign Ministers be used.

The Greek side had accepted this solution at the preparatory meeting held on 3 May 1996, as had the other countries, also owing to the fact that a similar formula had been applied at the previous Balkan meetings (Belgrade 1988, and Tirana 1990).

At the last preparatory meeting, held on 5 July 1996, the Greek side first refused participation in the preparatory meeting if the Macedonian delegation did not agree to use the aforementioned reference, and subsequently rejected any contact with the Macedonian delegation.

Owing to the fact that the host had decided to use the reference in a case of disagreement, the Macedonian delegation was practically forced to leave the preparatory meeting and not to take part in the Ministerial Conference.

With regard to the Interim Accord, we consider that the following provisions have been breached:

(a) The spirit of the Interim Accord, in the first preambular paragraph of which the same formula is applied: the names of the Ministers without the corresponding country names; further, the terms "Party of the First" and "Party of the Second" are applied;

(b) Article 5 (2), in which it is anticipated that, taking into consideration the difference regarding the name, both parties shall cooperate and seek practical measures, so that the difference shall not present an obstacle;

(c) Article 8 (2), which provides for the possibility of requesting the good offices of the European Union and the United States of America, was not utilized;

(d) Article 11 (1), under which both parties are obliged not to raise objections to membership in regional institutions. Also, Greece departed from the reference contained in Security Council resolution 817 (1993) by using the abbreviation "FYROM", which is not contained in that resolution;

(e) Article 21 (2), which anticipates the settlement of disputes by peaceful means only; in the given situation an ultimatum was presented stipulating that either the reference should be accepted or Greece would not take part in the meeting;

(f) Article 22, which anticipates that the Interim Accord is not directed against another country, i.e., against relations with a third country; in this case it resulted in the non-observance of the Macedonian-Bulgarian agreements according to which Bulgaria (as well as a number of other participating countries) shall use the constitutional name of the Republic of Macedonia.

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QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-first year

Letter dated 29 July 1996 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 29 July 1996 addressed to you by His Excellency Mr. Osman Ertuğ, representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the fiftieth session of the General Assembly, under agenda item 55, and of the Security Council.

(Signed) Hüseyin E. ÇELEM
Ambassador
Permanent Representative

96-19501 (E) 020896 060896

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ANNEX

Letter dated 29 July 1996 from Mr. Osman Ertuğ
addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letters dated 15 and 19 July 1996 addressed to you by the Greek Cypriot Chargé d'affaires at the United Nations, which contains allegations regarding "violations of the airspace of the Republic" (A/50/999-S/1996/554 dated 16 July 1996 and A/50/1007-S/1996/571 dated 19 July 1996, respectively).

I would like to recall that previous similar allegations on "airspace violations" were rejected in toto in my successive communications addressed to you, most recently in my letter dated 12 July 1996 (A/50/1010-S/1996/579, annex). Since the present Greek Cypriot charges are no different or credible than those previously made, they do not merit a detailed reply. I wish to reiterate briefly, however, that flights within the airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the Turkish Republic of Northern Cyprus over which the usurper Greek Cypriot regime in the south has no jurisdiction or right of say whatsoever.

The aim of the Greek Cypriot administration in making these allegations is, as I have repeatedly pointed out, to uphold the myth that it has sovereignty over the whole island and to provide a smokescreen for its intensive militarization campaign in south Cyprus. As part of the implementation of the so-called "joint defence doctrine" with Greece, the Greek Cypriot side has recently stepped up its strategy of military escalation, thereby raising tensions in the island. Having held with Greece the provocative military exercises codenamed "Toxotis" (Bow) as recently as the previous month, the Greek Cypriot administration is now planning for another round of joint military exercises in the fall of 1996. It has been reported in the Greek Cypriot press of 23 July 1996 that, within this context, the Greek Cypriot administration will be staging joint manoeuvres codenamed "Nikiforos-96", which will coincide with the visit to south Cyprus of the Greek Prime Minister, Mr. Costas Simitis, who will be accompanied by the Greek Foreign and Defence Ministers, Messrs. Pangalos and Arsenis, respectively.

Furthermore, according to recent Greek Cypriot press reports, yet another shipment of military equipment containing 35 American-made M48A5 tanks, 15 Greek-made Leonidas armoured personnel carriers and other military hardware arrived on the island on 24 May 1996 from Greece. Further reports suggest that an additional 50 Russian-made T80Y tanks and 50 French-made AMX-30B2 main battle tanks donated by Greece will be arriving in southern Cyprus soon.

The Greek Cypriot side, which is currently spending in excess of $2 million a day on its rearmament campaign, is, in an incredible display of hypocrisy, calling for demilitarization. Such Byzantine tactics only serve to hamper the ongoing efforts to find a mutually acceptable solution to the Cyprus question as they further deepen the profound misgivings of the Turkish Cypriot side regarding Greek Cypriot intentions. It is clear that, if the conditions

necessary for a negotiated settlement of the Cyprus question are to be established, the Greek Cypriot side must be dissuaded from continuing this confrontational posture and persuaded to return to the negotiating table. I hope and trust that the international community will use its influence on the Greek Cypriot side in this respect, in the interest of a peaceful solution in Cyprus.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 55, and of the Security Council.

(Signed) Osman ERTUĞ
Representative
Turkish Republic of Northern Cyprus

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QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-first year

Letter dated 31 July 1996 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 30 July 1996, addressed to you by His Excellency Mr. Osman Ertuğ, representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the fiftieth session of the General Assembly, under agenda item 55, and of the Security Council.

(Signed) Hüseyin E. ÇELEM
Ambassador
Permanent Representative

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96-19507 (E) 050896 060896

ANNEX

Letter dated 30 July 1996 from Mr. Osman Ertuğ
addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 22 July 1996 addressed to you by the Greek Cypriot Chargé d'affaires a.i. at the United Nations in connection with the visit to the Turkish Republic of Northern Cyprus of His Excellency Necmettin Erbakan, the Prime Minister of Turkey, with a delegation of Turkish dignitaries (A/50/1013-S/1996/590 dated 23 July 1996). The visit took place at the invitation of the Turkish Republic of Northern Cyprus, on the occasion of the 20 July Peace and Freedom Day celebrations.

I wish to stress, at the outset, that the relations between Turkey and the Turkish Republic of Northern Cyprus are deeply rooted in a common history, culture and kinship and are based on reciprocal recognition and mutual respect between two independent States. These relations have not only withstood the vicissitudes of time and circumstance, but have also strengthened in the face of the decades long campaign of the Greek Cypriot side, in collaboration with Greece to make Cyprus a Greek province (enosis). This armed campaign, which had started in the mid-1950s and resurged in 1963, finally culminated in the Greek Junta's coup d'état of 15 July 1974 against the regime of the late Archbishop Makarios, who was overthrown by the Junta for acting slow on the question of enosis.

Turkey had to intervene on 20 July 1974 in order to rescue the beleaguered Turkish Cypriots, who had been subjected to a severe campaign of ethnic cleansing in the preceding 11 years, and faced certain extermination at the hands of the invading Greek army and its proxies in Cyprus during the coup d'état (see Archbishop Makarios' statement openly accusing Greece of invading Cyprus, contained in the verbatim record of the 1780th meeting of the Security Council (S/PV.1780 of 19 July 1974)).

Turkey's legitimate intervention, undertaken in accordance with the Treaty of Guarantee of 1960, saved the Turkish Cypriots from final extermination, stopped the killing of Greek by Greek during the coup d'état, protected the binational independence of Cyprus and led to the downfall of the military junta in Greece. It also laid the foundation for a just and durable settlement of the Cyprus question on a bicommunal, bizonal federal basis.

The Turkish Cypriots have since celebrated the anniversary of this historic turning point in their struggle for survival, freedom and dignity, which they appropriately call Peace and Freedom Day. As an expression of their gratitude to Turkey, which has sacrificed its sons so that the Turkish Cypriots may live in security, freedom and peace, they have always invited Turkish officials to share with them this most significant moment in their history, which, as an equal people in Cyprus with their own independent, sovereign State, it is clearly their prerogative to do, as it is to invite whoever they chose to visit the Turkish Republic of Northern Cyprus.

Prime Minister Erbakan's visit to the Turkish Republic of Northern Cyprus with other high-level Turkish officials on the above occasion, in the context of the special relations that exist between the two countries, is symbolic of Turkey's continuing commitment to the security and well-being of the Turkish Cypriot people. At the same time, Turkey's presence in Cyprus as a Guarantor Power is an asset for a peaceful solution, evidenced by the fact that it has preserved peace and stability in the island in the last 22 years. Within this spirit Prime Minister Erbakan's message during his visit was one of reconciliation, peace and friendship between the two peoples of the island. The Greek Cypriot side's protestations over this visit, therefore, are totally unwarranted and emanate from its unfounded claim to be the sole sovereign authority over the whole island, which is the real provocation and an impediment to a peaceful solution.

It is ironic that the same Greek Cypriot administration, which criticizes visits by Turkish officials to the Turkish Republic of Northern Cyprus, has not only frequently hosted officials from Greece in the past, but is currently preparing to host none other than Mr. Costas Simitis, the Prime Minister of Greece. It is reported that he will be accompanied by a high-level delegation including the Greek Foreign and Defence Ministers. The visit is planned for 28 September-1 October 1996 on the occasion of the so-called "Cyprus Independence Day", which itself is a historical fallacy.

It is our strongly held view that rather than trying to create a furor over matters which are strictly within the purview of each national people in Cyprus and their respective independent States, the Greek Cypriot side would do well to engage the Turkish Cypriot side in negotiations for a peaceful resolution of the Cyprus question. As is known, President Denktaş has recently sent an invitation to Mr. Glafcos Clerides, the leader of the Greek Cypriot community, to meet with him and try to resolve the Cyprus issue through dialogue and negotiation. It is hoped that Mr. Clerides will reconsider his decision not to accept President Denktaş's peace offer, and adopt a positive approach to direct negotiation for a just and lasting settlement.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 55, and of the Security Council.

(Signed) Osman ERTUĞ
Representative
Turkish Republic of Northern Cyprus